

REMARKS

Applicants would like to thank the Examiner for the telephonic interview held on March 4, 2004 with the undersigned and Dr. Jonathon Narita regarding clarification of the above-identified Office Action.

Claims 27 and 34 have been amended to recite 90% sequence identity. Support for this can be found in the specification on page 9 at lines 16-23 and in the claims as originally filed. Thus, no new matter has been added.

Claims 27-45 were rejected under 35 USC §112, first paragraph, as not providing enablement for any delta-4-16:0 ACP desaturase having at least 75% sequence identity to SEQ ID NOs:1 and 2.

Withdrawal of this ground of rejection is respectfully requested in view of the amendment of claims 27 and 34 to recite at least 90% sequence identity.

Claims 27, 34 and 36-45 were rejected under 35 USC §102(b) as being anticipated by Cahoon et al. (PNAS 89:11184-11188, 1992) for the reasons stated in the last Office Action.

Withdrawal of this ground of rejection is respectfully requested in view of the amendment of claims 27 and 34 to recite at least 90% sequence identity. Given the change in sequence identity, it is respectfully submitted that the claim need not recite the Clustal method of alignment using default parameters (specification, page 9 at lines 30-36).

Accordingly, it is respectfully submitted that the claims are now in form for allowance which allowance is respectfully requested.

Please charge any fees associated with the filing of this Response After Final including, but not limited to, any extensions of time, and credit any overpayment of fees to Deposit Account No. 04-1928).

Respectfully submitted,



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